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Santa Cruz Mountains Murrelet Group***P.O. Box 7422, Santa Cruz, CA. 95061******Phone/fax: (831) 427-3297***

November 13, 1998

Transmitted by Facsimile

Mr. Bruce Halstead
U.S. Fish and Wildlife Service
1126 16th. Street, Room 209
Arcata, CA. 95521
Fax: (707) 822-8411

Subject: Comments on Sustained Yield/Habitat Conservation Plan for Pacific
Lumber Company

Dear Mr. Halstead,

I have conducted observations and research on Marbled Murrelets in California for many years and I would like to comment on the Pacific Lumber Company/Headwaters Habitat Conservation Plan. I am writing this letter on behalf of the Santa Cruz Mountains Murrelet Group of which I am the leader.

I believe that the proposed Habitat Conservation Plan/Sustained Yield Plan (HCP) should be rejected because it lacks both sufficient information and adequate mitigations to insure the survival of the Marbled Murrelet.

The HCP is based on insufficient data. Marbled Murrelet surveys have not been conducted over most of the property including the old-growth and residual old-growth stands proposed for logging. Logging would be allowed to occur during the breeding season such that trees contain murrelet eggs or young could be cut down, and the population's yearly productivity seriously depressed for a number of years. There is no justification for allowing this kind of take. In addition, no consideration is given in the HCP for unlisted but sensitive species like the Tailed Frog (Ascaphus truei) and the California Red Tree Vole (Arborimus pomo). Giving a "No Surprises" commitment to Pacific Lumber as proposed in the HCP may ultimately doom some of these species to extirpation or extinction.

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I feel strongly that no HCP should be approved until an adequate number of Marbled Murrelet surveys have been done on the property to determine which stands are utilized by breeding murrelets and the intensity of that use. Then, if some old-growth or residual old-growth stand logging must be allowed for economic or political reasons, only unoccupied stands should be allowed to be cut.

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The HCP is fatally flawed because it does not provide adequate mitigation for clearcutting 500 acres of old-growth redwood, 8,600 acres of residual old-growth redwood, and 8,300 acres of old-growth Douglas-fir. The Marbled Murrelet Conservation Areas total less than 8,000 acres, about 3,000 acres of which do not provide existing or potential Marbled Murrelet breeding habitat. Thus less than 5,000 acres of existing or potential habitat is protected while logging is allowed on over 9,000 acres. Clearly these numbers should be reversed, with the greater acreage of existing or potential habitat being protected and logging only allowed on a smaller acreage of unoccupied potential habitat.

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Murrelet set-aside areas should not be subject to logging after 10 years or even 50 years, but should be permanently protected, especially if occupied, since murrelets show a high degree of site fidelity to their breeding areas. Both the Owl Creek Grove and the set-aside grove near Grizzly Creek State Park should be permanently protected from logging.

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The HCP's estimated killing or harming of 241 - 340 Marbled Murrelets may be on the low side as it is based on an assumption that murrelets occupy residual old-growth redwood stands at a lower density than virgin old-growth redwood stands. There is no data to support this assumption. My research on the distribution of murrelets in the Santa Cruz Mountains indicates that the distribution of murrelets across a landscape of mixed residual and virgin stands is still a mystery. That is to say, we can't adequately predict which stands murrelets will use and which stands they will avoid. There is no substitute for field surveys to determine murrelet presence or absence, and degree of use, of each stand. The high use stands definately need to be protected and we don't yet know which stands those are.

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The HCP's allowed take of 340 (or possibly much more) murrelets out of a total population of 1500 individuals is too high to insure survival of this population. The Pacific Lumber/Headwaters murrelet population is an important population that has

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already been put under stress from past logging operations. Loss of any further number of birds is unacceptable, as murrelet populations throughout the state have been, and remain to be in a long-term decline.

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I strongly recommend that you do not adopt the proposed HCP as it places the survival of the Marbled Murrelet in jeopardy.

Sincerely,



Steven Singer
Group Leader, SCMMG
Certified Wildlife Biologist